

City of Utica
Regular Council Meeting
July 14, 2015

The City Council meeting was called to order by Mayor Noonan at 7:05 p.m.

Members present: Sikora, Osladil, Terenzi, Montag, Cuddington, Noonan

Absent: None

Executive Session

Motion by Sikora, seconded by Osladil, to recess to executive session to discuss personnel matters and tax tribunal settlement. Voting by roll, all ayes, motion **CARRIED.**

The City Council meeting was reconvened by Mayor Noonan, who led the pledge of allegiance at 7:35 p.m.

Minutes of 6/9/15

Motion by Sikora, seconded by Osladil, to approve the minutes of 6/9/15. Voting all ayes, motion **CARRIED.**

Unfinished Business

Macomb County Animal Control Regulations Adoption

Consent Business

None.

Correspondence

Motion by Montag, seconded by Osladil, to receive and file the correspondence from: Jerry Noonan- thank you, Jason Gottschalk- Officer Orłowski commendation, Family of Robert Buescher- thank you, Jamie & Jesus Sanchez Police Department- praise, Traffic Safety Association of Michigan. Voting all ayes, motion **CARRIED.**

New Business

Department Reports

Mayor Noonan

Property Purchase Request

Mayor Noonan explained the tax reversion concerning 45573 Keding and the City's right of refusal to purchase. Phil Paternoster stated it is in the best interest of the City to purchase the property as there is also a very large utility bill on this property.

Motion by Sikora, seconded by Terenzi, to approve the request to purchase 45573 Keding from the Macomb County Treasurers office, as eligible for purchase by the local community. Voting by roll, all ayes, motion **CARRIED.**

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Compensation Commission Determination

Motion by Terenzi, seconded by Montag, to accept the wage increases as proposed by the Compensation Commission minutes of 6/16/15, effective 7/16/15. Voting all ayes, motion **CARRIED**.

Council Vacancy Appointment

Motion by Montag, seconded by Terenzi, to approve the appointment of Frank Czapski to City Council, as recommended by Mayor Noonan. Term to expire 12/31/2018. Voting by roll, all ayes, motion **CARRIED**.

Planning Commission Appointment

Motion by Sikora, seconded by Osladil, to approve the appointment of Sarah Moyer-Cale to the Planning Commission, as recommended by Mayor Noonan. Voting by roll, all ayes, motion **CARRIED**.

Detroit Water & Sewer Contract Assignment

Mayor Noonan explained that this was recently brought up at a MACRO meeting and member communities would like a meeting with the concerned parties concerning items in the contract before we enter into it with the Great Lakes Water Authority who is leasing the assets of the Detroit Water supply. Motion by Osladil, seconded by Terenzi, to table the Detroit Water & Sewer Contract. Voting all ayes, motion **CARRIED**.

Council Reports

Barb Montag, Councilmember, reminded all of the Old Mill Arts & Craft Festival July 18 & 19, 2014 in Grant Park. Mayor Noonan thanked everyone who helped with the past Riverwalk Festival and also commended the Lions Club and Carnival.

Assessing- Nancy Strehl, Assessor

Motion by Sikora, seconded by Terenzi, to approve the settlement for MTT#15-003087, Utica Professional Center, as explained in executive session by Nancy Strehl, Assessor. Mayor Noonan and Jim McGrail, the City Attorney, recommend approval. Voting all ayes, motion **CARRIED**.

Building- Jerry Owczarzak

No report.

Fire- Kevin Wilseck, Chief

Computer Program for Inspections Purchase Request

Kevin Wilseck, Chief, requested permission to purchase Mobile eyes software to allow Fire Inspectors an on-site program for inspections. Mayor Noonan recommends approval. Motion by Terenzi, seconded by Sikora, to approve the request to purchase the Mobile eyes program, at a cost of \$5315.00. Voting all ayes, motion **CARRIED**.

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Department Thank You's

Kevin Wilseck, Chief, thanked the Home Depot for flowers and beautification supplies, Scott Pomaville for organizing and labor, the Fire Fighters Association for perennials and other materials, Macomb Collision for painting the siren in front of the Fire Station.

Police- Dave Faber, Chief

7715 Auburn Liquor License Amendment

Dave Faber, Chief, explained the name only change for the Liquor License of the Shamrock, 7715 Auburn. No action necessary.

Public Hearings 8:00 p.m.

Motion by Montag, seconded by Osladil, to open the public hearing at 8:02 p.m. Voting all ayes, motion **CARRIED**.

Pure Sleep, 8230 Hall Rd Temporary Tent

Velma McCauley, Store Manager, was present to request a temporary 10x20 tent from 7/29/15 to 8/18/15, to be placed in the parking lot. Planning Commission and the City Planner recommended approval. As there were no other comments from the public, motion by Sikora, seconded by Terenzi, to approve the temporary tent from 7/29/15 to 8/18/15 at 8230 Hall Rd. Voting all ayes, motion **CARRIED**.

Harbor Freight, 45150 Utica Park Blvd. Temporary Tent

Ray Naughton, Store Manager, was present to request a temporary tent in the parking lot on Aug.21-23, Oct. 9-11, 2015 and March 4-6, June 3-5, 2015, set up will be one day prior to the requested dates. Planning Commission and the City Planner recommended approval. As there were no other comments from the public, motion by Cuddington, seconded by Terenzi, to approve the temporary tent on Aug.21-23, Oct. 9-11, 2015 and March 4-6, June 3-5, 2015 in the parking lot of 45150 Utica Park Blvd. Voting all ayes, motion **CARRIED**.

Helen Kent Thank You

Dave Faber, Chief, thanked longtime resident Helen Kent for her recent monetary donation to the police department.

Traffic Control Order- Keding Street

Motion by Sikora, seconded by Terenzi, to approve the Traffic Control Order for No Parking on Keding Street between Hall Road and Summers. Voting all ayes, motion **CARRIED**.

DPW- Bill Lang, Superintendent

Tunnel- Eagle Scout Project Daniel Pisarski

Daniel Pisarski, Eagle Scout candidate, was present to request permission to perform his eagle scout project of Beautification of the City of Utica Tunnel consisting of cleaning and painting, removal of the graffiti. He would obtain materials through donations. Matthew Zelasko-Barrett, Boy Scout Unit Service Executive, endorses the project and stated what a fine young man Daniel is. Motion by Terenzi, seconded by Osladil, to

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approve the request of the Beautification of the Utica Tunnel, by Daniel Pisarski. Council also appreciates and applauded his efforts. Voting all ayes, motion **CARRIED**.

Treasurer- Philip Paternoster

No report.

Administration- Beth Ricketts, City Clerk

Freedom of Information Policy

Beth Ricketts, City Clerk, submitted a new policy and informed Council that the new State Law of July 1, 2015 requires the City to adopt policy and procedures for Freedom of Information requests. Jim McGrail, the City Attorney, has reviewed the policy and procedures. Motion by Sikora, seconded by Osladil, to approve the Freedom of Information Policy, with minor corrections, as presented. Voting all ayes, motion **CARRIED**.

MML Workers' Comp Fund Board of Trustee Election

Motion by Montag, seconded by Terenzi, to approve to vote for the six incumbent Trustees for the MML Workers' Compensation Fund. Voting all ayes, motion **CARRIED**.

MML Membership Renewal

Beth Ricketts, City Clerk, requested approval to renew the City's Michigan Municipal League Membership, including the Legal defense fund. The MML has served the City well over many years with advocacy, information, education, insurance programs and cost savings. Motion by Sikora, seconded by Terenzi, to approve the MML Membership renewal, at a cost of \$3073.00. Voting all ayes, motion **CARRIED**.

IFT Application Fee

Motion by Sikora, seconded by Terenzi, to adopt a \$300.00 Industrial Facility Exemption application, to cover costs incurred by the City. Voting all ayes, motion **CARRIED**.

Library

Motion by Montag, seconded by Osladil, to receive and file the resignation from Clare Baxter from the Library Board. Mayor Noonan thanked Clare for her service. Voting all ayes, motion **CARRIED**.

Parks and Recreation Commission

Park*It, the outdoor movie in Grant Park, Big Hero 6, will be held on Monday July 27, 2015. Entertainment and refreshments will be available. All are invited to attend.

Historic District Commission

No report.

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City Attorney- James McGrail

Grant Agreements

Jim McGrail, the City Attorney, explained the grant agreement necessary for the cleanup of the Auburn Road property with Brownfield funds in the amount of \$400,000 with no match required of the City. A thank you was given to Michelle Bakun DEQ for all her help in obtaining the grant. Motion by Montag, seconded by Terenzi, to approve the resolution allowing; the County of Macomb has agreed to grant to the City of Utica certain of the Grant Funds which will be used by the City of Utica and/or its Agent GS Entertainment LLC for a portion of the remediation of the property. Voting by roll, all ayes, motion **CARRIED**.

Intergovernmental Agreement

Motion by Osladil, seconded by Sikora, to enter into the Interlocal Agreement with Sterling Heights for the Clinton River Corridor Restoration Project, as presented by Jim McGrail, the City Attorney. Voting all ayes, motion **CARRIED**.

Planning Commission

No Report.

Senior Housing Steering Committee

No Report.

Brownfield Redevelopment Authority

No Report.

John Sattmann- Road Closure Request

John Sattmann, owner of Hogs Hollow Smokehouse, was present to request a temporary fence and closing of Auburn Road at Cass to the west end of Hogs Hollow. This would allow a Pork and Ladder Utica Fire Department fundraiser. The date requested is August 29 from 12:00am to 12:00 pm August 30, 2015. A portion of the profits would be given to the Utica Fire Department. Motion by Terenzi, seconded by Montag, to approve the temporary fence and Auburn Road closure, August 29 midnight to August 30 in front of Hogs Hollow Smokehouse, as presented. Voting all ayes, motion **CARRIED**.

Bills Payable

Motion by Terenzi, seconded by Sikora, to approve the payment of all bills as presented. Voting all ayes, motion **CARRIED**.

Car Show

Chuck Cuddington, Councilmember, requested the closure of Auburn Road from Cass to the bridge and Cass to McClellan for the Car Show to be held on August 8, 2015. Motion by Montag, seconded by Terenzi, to approve the Road closure request, as presented. Notification to affected homeowners to be given. Voting all ayes, motion **CARRIED**.

Communication from the Public

None

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Executive Session

Motion by Montag, seconded by Cuddington, to adjourn to executive session to discuss personnel matters. Voting by roll, all ayes, motion **CARRIED**.

Adjournment

As there were no further comments from the public, motion by Montag, seconded by Sikora, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 9:05 p.m.

Beth Ricketts
CITY OF UTICA
City Clerk